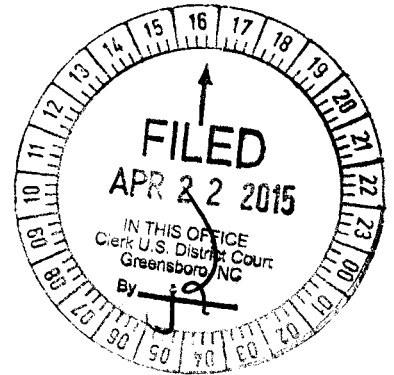


**In the United States District Court
for the Middle District of North Carolina
Greensboro Division**



Defendant, Brian David Hill

v.

Criminal Action No. 1:13-cr-435-1

Plaintiff, United States of America

**MOTION FOR REQUESTING COMPUTER FORENSIC
EXAMINATION IN PREPERATION FOR WRIT OF HABEAS
CORPUS**

Comes NOW, The Defendant Brian D. Hill with a REQUEST to the Honorable Court that they Grant this MOTION FOR REQUESTING COMPUTER FORENSIC EXAMINATION IN PREPERATION FOR THE WRIT OF HABEAS CORPUS under a Section 2255 Motion. This is NOT a Habeas Corpus Petition **but a request for authorization to discover NEW EVIDENCE** for the purpose of providing enough evidence to the Court showing a basis for the ground of Actual Innocence. Upon the Courts approval of this Motion, that the Defendant shall find a Independent computer forensic expert that is willing to conduct the examination of his computer, that he get a estimation on the costs he/she will charge for such examination, and that him or through his attorney then fill out a CJA 21 Voucher requesting that the Court pay for such examination for the purpose of attempting to prove Actual Innocence.

Already the Defendant has filed multiple Pro Se motions requesting for a computer forensic examination to prove his statements about a computer virus or Trojan Horse to be true, which proves his legal Innocence (See Doc# 36, Filed 09/18/14,

Doc# 59, Filed 01/26/15, Doc# 58, Filed 01/26/15).

However the SBI will not just let him or his attorney walk in and request a Independent computer forensic examination of his computer being held at their facility without some kind of competent court order. So he needs the Court to authorize and ORDER that the North Carolina State Bureau of Investigation at 501 Industrial Avenue., Greensboro, NC, allow him to find a computer forensic expert that can be paid under CJA 21 voucher to conduct an examination and analysis of his computer at the SBI to look for computer viruses, Trojan horses, signs of computer hacking such as modified Windows files for the sheer purpose of making the computer more vulnerable to outside intrusions, and any other forms of Malware or evidence of computer hacking during the time of the alleged offense. So he is asking the court to give him up to a total of 30 days after the granting of this Motion to look for a computer forensic expert then file a CJA Voucher once a forensic computer expert is found and is willing to conduct the examination. Then once the examination is completed that he be compelled to create a forensic examination report for the U.S. District Court on his/her findings under his/her analysis. Then such report can be used as an evidential basis to determine whether there is sufficient a ground to prove Actual Innocence under a 2255 Motion. This will resolve any issues that he is having with the SBI case file in current evidence that the U.S. Attorney used to indict him for possession of child pornography. Since his public defender would not request an examination nor request funding for such examination, he has decided to file a request MOTION pro se.

It is appropriate to grant his pro se post-conviction MOTION to authorize the computer forensic examination at the Greensboro North Carolina SBI Office, in order to resolve any issues and disputes with the U.S. Attorney's forensic evidence.

He also files a request in this MOTION that it be addressed on the papers without a hearing. The Defendant waives his right to a hearing on this motion.

Without the approval of such request the Defendant may not be able to discover New Evidence of proving computer hacking and will limit his chance for success in proving Actual Innocence in his 2255 Motion he plans on filing. The SBI won't even allow the Defendant to receive a copy of his SBI case file that was used against him in Court without a Court Order. So more than likely the SBI will not allow the Defendant to conduct a Independent computer examination without a Court Order. Thus the Defendant requests that he moves this Court to ORDERING a computer forensic examination of his laptop computer to find evidence of Innocence.

He respectfully submits and files with the Clerk of The Court, for the purpose of the Honorable Court granting this MOTION for the examination to prove Actual Innocence.

Respectfully submitted,


A handwritten signature in cursive script that reads "Brian D. Hill". The signature is written in black ink and is positioned above a horizontal line.

Signed
Brian D. Hill (pro se)
916 Chalmers St. – Apt. D, Martinsville, VA 24112
Phone: (276)632-2599

CERTIFICATE OF SERVICE

I hereby certify that on April 22, 2015, I filed the foregoing
MOTION FOR REQUESTING COMPUTER FORENSIC EXAMINATION IN
PREPERATION FOR WRIT OF HABEAS CORPUS with the Clerk of the Court
using the Multimedia Messaging Service gateway to the Clerk's email, which I
assume is added by the Clerk to the CM/ECF system which will send notification
of such filing to the following:

Mr. Anand P. Ramaswamy
Assistant United States Attorney
101 South Edgeworth Street
Greensboro, NC 27401



Signed
Brian D. Hill (pro se)
916 Chalmers St. – Apt. D
Martinsville, VA 24112
Phone: (276)632-2599